

REMARKS

This Amendment is responsive to the Office Action dated July 14, 2004. Claim 1 has been amended to more clearly define the invention. Claim 30 has been amended to correct a typographical error. Claims 35-48 have been added. Reconsideration of the rejections of Claims 1, 3-8, 19-20 and the objections to claims 9-12 and 29 is respectfully requested.

The § 102 Rejection

Reconsideration of the rejection of Claim 1, as amended, as being anticipated under 35 U.S.C. § 102(b) over U.S. Patent No. 4,781,314 to Schoonover ("Schoonover") is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by the Schoonover reference. Under Section 102, anticipation requires each and every claim element to be found in a single reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicant respectfully submits that the reference cited above by the Examiner fails to teach each and every of claim 1.

Claim 1, as amended, recites, in part, a "a pressure vessel comprising a seamless tank shell defining an interior space and having an outer surface wherein said tank shell is comprised of more than one boss oriented parallel to each of said other bosses, each of said bosses having a threaded portion; said outer surface having a fuel withdrawal assembly or a direct-sight fuel gauge mechanically fastened directly thereto." The Examiner alleges that Figure 1 teaches a seamless tank shell having an outer surface with a fuel withdrawal assembly (46) mechanically fastened directly to the tank and a plurality of bosses (42, 52) having a threaded portion and a

fuel withdrawal assembly (46), which includes a threaded portion engaged with the threaded portion of one of the bosses.

Schoonover does not teach claim 1, as amended. Figure 1 of Schoonover does not teach a seamless tank shell defining an interior space and having an outer surface wherein said tank shell is comprised of more than one boss (42, 52) oriented parallel to each of said other bosses.

Additionally, Figure 1 of Schoonover does not teach that the tank shell is seamless. Figure 1 is an exterior view of the tank shell. The Schoonover reference does not contain any cross sectional figures teaching the structural configuration of the tank shell. Ambiguities in the cited art must be construed against the Examiner. *In re Robinson*, 49 U.S.P.Q.2d 1949, 1951 (Fed. Cir. 1999). The specification teaches a container with four separate sides, a pair of side walls, each having four edges and four corners, and a first top and second top, each of which extends between the corresponding edges of the side walls. The specification does not teach a seamless tank shell. Indeed, Schoonover implies that the tank it describes does, in fact, have seams (“having four edges and four corners”). At best, Schoonover fails to mention whether or not the tank it discloses is seamless or not. Thus, for this independent reason, Schoonover does not anticipate claim 1.

Finally, Figure 1 of Schoonover does not teach that the bosses (42, 52) are integral parts of the tank shell. The Schoonover reference does not contain any cross sectional figures teaching the structural configuration of the bosses (42, 52) relative to the tank shell. Accordingly, the specification does not teach that the bosses (42, 52) are integral parts of the tank shell. Indeed, Schoonover completely fails to mention the construction of bosses 42 and 52. The Schoonover reference simply does not disclose “a seamless tank shell defining an interior space and having

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an outer surface wherein said tank shell is comprised of more than one boss." Schoonover does not anticipate claim 1 for this independent reason as well.

Claims 3-12, 19-20, 29 depend directly or indirectly from Claim 1, as amended, which is believed allowable for the reasons set forth above. Claims 30-34 were allowed by the Examiner in the Office Action of June 6, 2003. Claim 30 has been amended to correct a typographical error.

CONCLUSION

For the reasons set forth above, Claims 1, 3-12, 19-20, 29, 30-34, and 35-48 patentably and unobviously distinguish over the references of record and are in condition for allowance. Notice to that effect is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. In the event additional fees or extensions are required, the Examiner is authorized to treat this letter as a request for further extensions and to charge Deposit Account 03-0172. Please also credit any overpayments to said Deposit Account.

Respectfully Submitted,

Date: 1/14/05

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